

OCT 26 2006

## REMARKS

First, I thank Examiner Bashore for the time he spent discussing the outstanding Office action with me on the phone yesterday.

In the Office action mailed 8 August 2006, the previous Examiner Tran rejected claims 1, 2, 4-6, 5-6 (sic) and 9-18 (Office action section 5), claim 3 (Office action section 6), and claims 7-8 (Office action section 7) under 35 U.S.C. 103(a) as being unpatentable over Arroyo et al. (US 200300333167A1) in light of various secondary references.

Other than mentioning Arroyo in the header of each rejection, however, the Examiner, in his analysis, failed to cite any text from Arroyo as disclosing any features of any of the applicants' claims at all. In fact, "Arroyo" never appears in the Office action outside of the section headers and is not even listed in the accompanying Notice of References Cited. The Office action is therefore not clear enough for the applicants' to be able to formulate a substantive response.

This lack of clarity is made worse by citations to "Maxwell" in the Examiner's analysis – although Maxwell is listed in the Notice of References Cited, it is not cited in any header of any of the sections.

In other words, Arroyo is cited in the actual rejections in headers, but is never mentioned otherwise, whereas Maxwell is referred to, but isn't cited in any header as support for any particular rejection. Both of these rejections therefore appear to be improper. The applicants cannot be sure just what they are supposed to respond to.

The applicants therefore respectfully request both reconsideration of their application, and in particular another *non-final, proper* Office action that they can adequately respond to.

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Respectfully submitted,



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Docket: Call-Tell ID